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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/699,997 | 11/03/2003 | Mark Levine | 930009-2015 | 5362 |
| 20/999 7590 03/31/2010 FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151 | | | | |
| EXAMINER | | | | |
| PIZIALI, ANDREW T | | | | |
| ART UNIT | | PAPER NUMBER | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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| 10699997 | 11/3/03 | LEVINE ET AL. | 930009-2015 |

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EXAMINER

Andrew T. Piziali

| ART UNIT | PAPER |
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1794

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Commissioner for Patents

It is noted that the appeal of application 10/928,894 appears to be a related appeal which might have a bearing on the Board's decision in the pending appeal. Albany International Corp. is the real party of interest in both applications and both applications relate to industrial fabrics used in making nonwoven textiles. On page 12 of the appeal brief filed on 1/15/2010 in application 10/928,894, the appellant admits that "industrial" is generally understood to mean relating to the production of goods for commerce and that an industrial product is therefore understood to be a product that is merely associated with the commercial production and sale of a good. Contrary to that asserted in application 10/928,894, on pages A-16 to A-18 of the reply brief filed 1/8/2010 in the current appeal the appellant asserts that clothing fabric (a commercial good) is not an industrial fabric.

The reply brief filed 1/8/2010 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

/Andrew T Piziali/
Primary Examiner, Art Unit 1794